

## REMARKS

By the foregoing Amendment, Claims 1 and 30 have been amended. Claims 1, 24-27, 30, 33, and 37-38 remain pending. Favorable reconsideration of the application is respectfully requested.

Claims 1, 24-27, 30, 33 and 37-38 were rejected under 35 U.S.C. §103(a) on the grounds of obviousness from Truckai et al. in view of Macaulay et al. The Examiner indicated that it would have been obvious from Macaulay et al. to construct the anchor plate of Truckai et al. as a radio-opaque band. Claim 1 has been amended to recite "the tubing defining the main lumen extending as an extension beyond the distal end of the flexible joint region," and "said at least one radio-opaque band being attached to said extension." Claim 30 has been amended similarly to recite "the tubing defining the main lumen extending as an extension beyond the opening of the wire lumen," and "said at least one radio-opaque band being attached to said extension." Support for the amendments can be found in paragraphs 0058 and 0059 of the specification.

It is respectfully submitted that there is no evidence or suggestion in Truckai et al. or Macaulay et al. of such a configuration as is presently claimed, in which the tubing defining a main lumen extends as an extension beyond the distal end of a flexible joint region or beyond a distal opening of a wire lumen, and a radio-opaque band is attached to the extension, and the Examiner has not provided any evidence that it would be conventional in the art to provide such a configuration as is currently claimed. It is also respectfully submitted that it would not be predictable from a combination of Truckai et

al. and Macaulay et al. that replacing the anchor plate of Truckai et al. with a radio-opaque band would require that the radio-opaque band be attached to an extension of the main lumen beyond the distal end of a flexible joint region or beyond a distal opening of a wire lumen, as is claimed. It is therefore respectfully submitted that Claims 1, 24-27, 30, 33 and 37-38 patentably distinguish the combination of Truckai et al. and Macaulay et al., and that the rejection of Claims 1, 24-27, 30, 33 and 37-38 on the grounds of obviousness from Truckai et al. in view of Macaulay et al. should be withdrawn.

Applicant has reviewed the additional prior art made of record and not relied upon, and it is believed that the additional prior art made of record and not relied upon is no more pertinent than the art applied.

In light of the foregoing amendments and remarks, it is respectfully submitted that the application should now be in condition for allowance, and an early favorable action in this regard is respectfully requested.

The Commissioner is authorized to charge any deficiencies or fees in connection with this amendment to Deposit Account No. 06-2425.

Respectfully submitted,

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